



WEB COPY

CrI.O.P.(MD)No.11744 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

CrI.O.P (MD)No.11744 of 2020

and

CrI.M.P. (MD)Nos.5383 and 5384 of 2020

1.Rameshkumar
2.Kolappan
3.Jayalakshmi
4.Ashokkumar
5.Ramya Ashokkumar

... Petitioners/Respondents No.1 to 5
Vs.

1.Aswini @ Sindhu

2.Nishanth Koushick (Minor) ... Respondents/Petitioner
(Minor represented by her mother Aswini @ Sindhu)

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for the records in D.V.No.6 of 2020 pending on the file of the Additional Mahila Court, Nagercoil and quash the same.

For Petitioners : Mr.S.Sivakumar

ORDER

Heard the learned counsel appearing for the petitioners.

2.The petitioners want this Court to quash the impugned proceedings.

3.To consider the petitioners' counsel's contentions, I will have to necessarily delve into disputed facts. Therefore, I am not inclined to entertain this quash petition. The petitioner's are based in Chennai. The first petitioner is the husband of the first respondent. The petitioners 2 to 5 are in-laws. Considering the facts and circumstances of the case, the personal appearance of the petitioners 2 to 5 before the Court below is dispensed with. They need to appear only when their appearance is absolutely necessary. On all other occasions, they can very well be represented by their counsel. However, this general relief of dispensing with the personal appearance is only granted for the petitioners 2 to 5 and not for the first petitioner. As regards the first petitioner also, depending on the necessity, it is open to him to apply for dispensing with his personal appearance also. But then, it is for the Court below to take a call in the matter.



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4. Leaving open the contentions and defences of the petitioners, the criminal original petition is dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

The Additional Mahila Court,
Nagercoil.

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VB (05.11.2020) 2P 2C